



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

July 30, 2020

**BY ECF & EMAIL**

The Honorable Vernon S. Broderick  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**APPLICATION GRANTED  
SO ORDERED** *Vernon S. Broderick*  
**VERNON S. BRODERICK**  
**U.S.D.J.** 7/31/2020

The Fatico hearing currently scheduled for August 10, 2020 is adjourned to October 28 at 10:00 a.m.

Re: **United States v. Michael Mendlowitz, S2 17 Cr. 248 (VSB)**

Dear Judge Broderick:

On behalf of the parties, and pursuant to the Court's May 22 Order, the Government respectfully submits this status letter regarding the *Fatico* hearing set for August 20, 2020. The witness the Government currently intends to call at the *Fatico* hearing lives in Georgia. In light of COVID-19,<sup>1</sup> the witness cannot travel to New York to testify in person in August. The witness could testify remotely, but the defense does not consent to proceeding via teleconference.

Accordingly, the parties respectfully request that the *Fatico* hearing be adjourned for approximately two months, or until such other date that is convenient for the Court.

Respectfully submitted,

AUDREY STRAUSS  
Acting United States Attorney

By: \_\_\_\_\_ /s/  
David Abramowicz / Jilan Kamal / Dina McLeod  
Assistant U.S. Attorneys  
212-637-6525 / 2192 / 1040

Cc: Smith Villazor, LLP, Counsel for Michael Mendlowitz (via ECF and email)

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<sup>1</sup> Georgia is among the states subject to the New York State executive order requiring travelers from designated areas to quarantine for 14 days upon arrival. See COVID-19 Travel Advisory, at <https://coronavirus.health.ny.gov/covid-19-travel-advisory> (last visited July 30, 2020).